

STATE OF NORTH CAROLINA
ATTORNEY GENERAL'S OFFICE
RALEIGH, N.C.

Environmental Enhancement Grant Program

Request for Proposals

INFORMATIONAL MEETING: TBD September, 2011

LETTERS OF INTENT DUE: Friday September 9, 2011

PROPOSALS DUE: Friday October 28, 2011

APPLICANT ELIGIBILITY: This program is open to nonprofit organizations or institutions with documented 501(c)(3) status whose primary purpose is the conservation, preservation and restoration of North Carolina's environmental and natural resources; local, state, and federal government agencies.

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I. INTRODUCTION

PURPOSE AND BACKGROUND

The Office of the North Carolina Attorney General is initiating this request for proposals to receive grant funds under the Environmental Enhancement Grant Program created pursuant to the agreement between the North Carolina Attorney General and Smithfield Foods and its subsidiaries. The intent of this grant program is to provide funding to projects that improve, maintain, and encourage environmental enhancement in the State of North Carolina, with particular focus on environmental issues associated with the swine industry.

On July 25, 2000, Smithfield Foods, Inc. (Smithfield) and the North Carolina Attorney General entered into an Agreement (Smithfield Agreement), which in part provides funds to promote environmental programs in North Carolina. Under this agreement, the Attorney General is responsible for designating organizations to receive reimbursement funds to complete projects to enhance the environment of the North Carolina.

In order to maximize the benefits to North Carolina's environment, the Attorney General, after consultation with Smithfield,

the North Carolina Department of Environment and Natural Resources (DENR), and others, established the Environmental Enhancement Grant Program (EEG Program) in January 2003. The EEG Program seeks to fulfill the objectives of the Smithfield Agreement by providing reimbursement grants to fund projects that improve the environmental quality of North Carolina by restoring, improving, or protecting North Carolina's environmental resources.

The Attorney General has issued this Request for Proposals (RFP) to identify environmental enhancement projects contemplated by the Smithfield Agreement for reimbursement under the EEG Program. This RFP continues the environmental enhancement program areas developed in previous RFP's and provides objectives and examples of projects that may fulfill these objectives. This RFP explains the application process, including funding criteria, eligibility of participants, evaluation criteria, and deadlines. This RFP also outlines some of the performance guidelines for selected grant recipients.

Please review each section carefully. This RFP is solely a request for expressions of interest and statements of qualification. It is not an invitation for tenders, an offer to contract or an invitation capable of acceptance to create a contract. The

Attorney General may cancel this RFP at any time without liability for any loss, damage, cost, or expense incurred or suffered by any applicant as a result of that cancellation.

OBJECTIVES

The EEG Program seeks to improve the air, water, and land quality of North Carolina by funding environmental projects which address the goals of the Smithfield Agreement. Potential grantees are asked to address these goals through one of two separate environmental enhancement areas: (1) immediate environmental enhancement and (2) long term environmental enhancement.

Each of the environmental enhancement program areas reflects the goal of the Smithfield Agreement to improve and preserve the natural resources of North Carolina. The EEG Program funds projects targeted at immediate environmental enhancement to restore and protect impaired, degraded or endangered surface

waters and groundwater and other natural resources. In addition, the EEG Program promotes long-term environmental enhancement programs to conserve and protect targeted natural areas.

Because North Carolina's environmental enhancement needs will change over the 25 year lifespan of the program, the EEG Program is designed to be flexible and to shift priorities depending on environmental needs identified each year. Each of the program areas, described in detail below, may have different priorities from year to year. When applying for a grant, please consider the purpose of the EEG Program, the program areas identified and their objectives, and the budget limitations for the project.

APPLICANT MINIMUM ELIGIBILITY

The applicant must be a nonprofit organization or institution with documented 501(c)(3) status whose primary purpose is the conservation, preservation and restoration of North Carolina's environmental and natural resources. In addition, federal, state and local governments are eligible to submit applications.

PROPOSAL PERIOD AND FUNDING

This RFP is directed at projects that will be completed within three years from the date of the grant award. Applicants may request up to \$500,000 for their proposed project. The EEG Program distributes grant awards as reimbursements to organizations for funds previously spent in the course of the project. It is the policy of the EEG Program not to disburse funds in advance of work completed, however grantees may be reimbursed for project related work completed before the start of the grant award. A minimum of 10% of the total award will be reserved for

disbursement upon the organization's submission and the Attorney General's approval of a final project report.

Funding decisions will involve evaluation of the proposal's projected environmental benefit. Applicants are strongly encouraged to avoid submitting proposals that use EEG Program funds as their sole source of funding. Applicants must be in good financial standing and must demonstrate superior organizational capabilities to receive any grant funds.

Routine operating and administrative expenses, salaries and benefits for staff are not eligible for reimbursement. However, project-related professional services are eligible for reimbursement if reasonably accounted for on an hourly basis. Favorable consideration will be given to project proposals that include in the project's proposed budget additional sources of funding other than this program. The program encourages projects that use EEG funds as leverage to access outside sources of funding.

SUBMISSION OF MATERIALS

Letters of Intent

Prior to submitting a proposal, each applicant must submit a letter of intent electronically to EEG@ncdoj.gov. Letters of intent are due by **5:00 PM September 9, 2011**.

Proposals

All proposal materials must be submitted electronically to EEG@ncdoj.gov on or before **5:00 PM October 28, 2011**. Late materials cannot be considered.

PROGRAM CONTACT

Applicants should direct all questions regarding this RFP or the Environmental Enhancement Grant Program to:

Rufus C. Allen
Assistant Attorney General
(919) 716-6600
rallen@ncdoj.gov

II. EEG PROGRAM AREAS

GEOGRAPHIC PREFERENCE

EEG proposals for projects located throughout North Carolina will be considered; however, consistent with the Smithfield Agreement, priority will be given to projects that directly improve the water quality in the Cape Fear, Lumber, Neuse, Tar-Pamlico, and White Oak River Basins.

PROPOSAL PROGRAM AREA OPTIONS

The EEG Program identifies two environmental enhancement program areas determined by the Attorney General to be important steps toward protecting and restoring the environment of

North Carolina. The program areas are: (1) aid for environmental areas that need immediate restoration or improvement; and (2) protection of North Carolina's natural resources through long-term conservation programs.

Applicant organizations may submit multiple proposals. Each proposal, however, must address one of the two Program Areas.

IMMEDIATE ENVIRONMENTAL ENHANCEMENT

The EEG Program supports remediation and protective measures to improve impaired waters and to address problems for communities affected by adverse water quality. Construction and maintenance of wetlands have a beneficial effect on North Carolina's environment. Projects in the immediate environmental enhancement area should meet one or more the following objectives.

- Address current water quality problems through remediation and restoration
- Provide direct improvement and/or restoration of water quality
- Protect and improve water source waters or watersheds
- Provide support for communities affected by adverse water quality

Examples:

- A grant to close inactive lagoons and to implement best management practices
- A grant to construct, maintain or remediate wetlands

LONG-TERM ENVIRONMENTAL ENHANCEMENT

Long-term benefits to the environment of North Carolina can be achieved through concerted efforts to protect environmentally significant areas. The Smithfield Agreement identifies conservation easements as an effective method for improving the environment and providing long-term protection of North Carolina's natural resources. Long-term environmental enhancement projects should meet one or more of the following objectives:

- Protect water quality in North Carolina through a long-term targeted program
- Establish long-term strategies and planning for restoration and protection of natural areas through riparian buffers or greenways
- Restore uses to impaired watersheds and prevent long term degradation

Examples:

- A grant to implement a comprehensive conservation easement program designed to protect sensitive areas in the designated river basins
- A grant to implement a long-term water quality improvement program, such as wetlands restoration
- A grant to restore existing hydrology through the removal of water control structures

III. APPLICATION PROCESS

Organizations submitting proposals in response to this RFP should include a completed application form, written responses to the four content sections, and all relevant attachments, in order to qualify for consideration. Applicants must adhere to the page limit and format guidelines.

*** LETTER OF INTENT ***

Applicants must submit a letter of intent (LOI) by the date listed at the beginning of this RFP. The letter should be submitted electronically, be no more than one page in length, and include the following items:

1. brief statement of eligibility (501(c)(3) environmental organization, government entity, etc.)
2. description of the proposed project,
3. project location (county),
4. specific EEG program area,
5. anticipated amount for the requested grant, and
6. total cost of project including funds from outside sources.

The Attorney General's office may contact applicants to discuss their LOI; however, the contents of the letter of intent are not binding on the applicant. **NB: Applicants who fail to submit a letter of intent before 5:00PM on the deadline will be ineligible to submit a grant proposal.**

GRANT APPLICATION FORM

The EEG Program will provide all applicants who submit a LOI on or before the deadline with a grant application form. Applicants must complete and submit the grant application form as a part of their application packet.

PROPOSAL FORMAT

All proposals must comply with the appropriate formatting guidelines. Applications must be submitted electronically and comply with the following format guidelines:

- Proposals documents, including attachments must be in PDF format (except for the proposed budget spreadsheet, see below).
- All proposal attachments must be included as separate documents
- Proposals can be no longer than 10 pages (exclusive of tables, attachments, or exhibits), with margins of at least 1".
- Typeface must be at least 12 point and easily read.

This Request for Proposals is formatted per these guidelines; applicants may use it as a formatting guide.

IV. APPLICATION CONTENTS

PROPOSAL CONTENT

Each proposal must address four content categories:

- (1) organizational structure and management information;
- (2) project description and technical specifications;
- (3) results measurement process; and,
- (4) project costs and estimated budget.

Applicants should address each of the items below within the proposal but should not feel limited to discuss only the items included in this list or to copy this particular organization. However, applicants must include a table of contents, which will not count towards the page limit. The percentages are an estimate of the total space the application should devote to each category and are recommendations only.

Organizational Structure and Management 10%

- Brief history of the organization (250 word maximum)
- Current projects
- Mission statement, goals, and objectives
- Qualifications for the proposed project
- Previous similar projects
- Description of organization's methodology or approach to the proposed project
- Previous experience in applying for, obtaining, and managing grants

Project Description and Technical Specifications..... 55%

- Project goals and objectives
- Environmental Benefits from the project
- Description of project activities in detail, including individuals, organizations, or contractors responsible for project completion
- Geographic location of the project and the area or communities to be served by the proposed project
- How the proposal meets the objectives of the EEG Program

Results Measurement 20%

- Performance measurements to be used
- Individuals or organizations responsible for measuring project results
- Expected outcomes of the project, include benchmarks and milestones
- How the project will be evaluated upon completion

Project Costs and Budget..... 15%

- Amount of funding requested
- Define or describe how the project may be leveraged with other projects or funding
- Prospective budget (Successful applicants are required to submit a formal itemized budget before grant funds disbursement)

REQUIRED ATTACHMENTS

The following materials are required attachments to all proposals. Please include five files (four for government entities) with the following information. If an item is not applicable please include a document indicating the item's inapplicability.

Attachment 1 | Proposed Budget:

- **Line-item project budget**, including other sources of funding for the project in Excel or other compatible spreadsheet format

Attachment 2 | Proposed Timeline & Benchmarks:

- A **projected timeline** for the entire period of the project that identifies tasks/benchmarks the grantee will accomplish
- For any project that requires an environmental permit, a copy of the completed permit application or the permit itself, if already received

Attachment 3 | Organizational Materials:

- Letter signed by executive director, board chair, or other appropriate official stating organizational support for the proposal
- List of Staff, Officers, and Board of Directors for your organization
- Notarized copy of the applicant's conflict of interest policy
- Most recent annual independent audit (executive summary only, if available)

Attachment 4 | Letters of Support:

- A maximum of five letters of support and/or testimonials from project sponsors, participants or supporters

Attachment 5 | Non-profit Organizational Materials (Non-profits only):

- Certificate of Incorporation and by-laws
- IRS letter showing tax-exempt status
- Organizational budget and income for the current year and, if available, for the next fiscal year and any period covered by the grant request

Applicants may also include a table of contents for the attachments. The pages of the attachments do not need to be numbered.

V. EVALUATION CRITERIA

Applications are evaluated according to the following criteria. The scores indicate the relative importance of each criterion category. However, successful applicants will have strong scores in each category.

1. RELEVANCE OF PROPOSAL TO THE EEG PROGRAM 35%
 - 1.1. Whether proposal incorporates the EEG objectives
 - 1.2. Whether the proposal meets a specific or identified need related to the EEG objectives
 - 1.3. Whether the proposal is duplicated by other programs currently funded through other means
 - 1.4. Significance of problem addressed
2. EFFECTIVENESS OF MANAGEMENT ORGANIZATION 20%
 - 2.1. Qualifications of applicant for the proposed project
 - 2.2. Demonstrated ability of the applicant to manage and complete the project
 - 2.3. Participation of multiple partner organizations in project
3. QUALITY OF PROJECT DESIGN 20%
 - 3.1. Appropriateness of the methodology or approach to the problem presented
 - 3.2. Thoroughness of project design and engineering
 - 3.3. Feasibility of proposed project, awareness of potential problems, and suggested solutions
4. MEASURABILITY OF PROJECT PROGRESS 15%
 - 4.1. Identification of project benchmarks or milestones
 - 4.2. Demonstrated ability to measure the results of the project
 - 4.3. Impacts and benefits expected from successful project
 - 4.4. Appropriateness of Project Budget
5. ADEQUACY OF PROPOSED BUDGET TO COMPLETE THE PROJECT 10%
 - 5.1. Availability of additional funds
 - 5.2. Total cost of the project relative to the perceived benefits from successful completion of the project
 - 5.3. Appropriateness of budget compared to the level of effort

VI. ADDITIONAL INFORMATION

ATTORNEY GENERAL'S DISCRETION

In considering any proposal that responds to this RFP, the Attorney General has absolute discretion to:

- Accept or reject any proposal
- Accept a proposal on the condition that certain modifications be made
- Assess proposals as he sees fit, without in any way being obligated to select any proposal
- Determine whether any proposal or proposals satisfactorily meet the evaluation criteria set out in this RFP
- Reject any or all proposals with or without cause, whether based on the evaluation criteria set out above or otherwise

PERFORMANCE GUIDELINES

The EEG Program requires several accountability measures from grant recipients. These measures will include: quarterly reports; independent audits; and an adequate system of accounting and internal controls. The last payment under the grant will not be made until submission by grantee of a final report, which at a minimum must include a narrative evaluation and summary of the project, appropriate documentation of the completion of the project, and a full financial report on the project. Grant recipients are expected to make provision for public distribution of information regarding their activities and to provide promptly to the Attorney General any published news, journal, or newsletter articles regarding the project.

INFORMATIONAL MEETINGS

The Attorney General's Office will hold two informational meetings regarding the RFP and the application process. The first meeting will be held at a place, date, and time to be determined based on the number of registrants. A second follow-up meeting can be held, if necessary, at a time to be determined to address any last-minute questions. To register for an informational meeting, please send an e-mail with your name and a contact phone number to **EEG@ncdoj.gov**. Those who register will be sent follow-up information on the meeting location and time.

PUBLIC RECORDS NOTICE

By submitting a proposal, each applicant represents and warrants to the Attorney General that the information in the proposal is accurate and complete. All proposals submitted to the Attorney General under this RFP and any written communications with Department of Justice staff, including e-mail, are public records subject to the North Carolina Public Records Act.
